

APPLICATION FOR UNITED STATES PATENT  
DECLARATION AND POWER OF ATTORNEY

I hereby declare, as a named inventor of the invention identified herein, that my residence, post office address and citizenship are as stated below next to my name; that I verify and believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE: AUTOMATIC PERFORMANCE APPARATUS

which is described and claimed in the specification: a. X attached hereto; b. \_\_\_\_\_ filed 1/5/04 as U.S. Patent Appln. Serial No. \_\_\_\_\_ and amended on \_\_\_\_\_; c. \_\_\_\_\_ identified by the Assignee as reference number H8032US and assigned by my attorney ATTORNEY DOCKET NUMBER YAMA:063.

I hereby declare that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above, and hereby acknowledge the duty to disclose information of which I am aware which is material to this application for patent on the invention described in the above-identified specification in accordance with 37 C.F.R. §1.56.

I hereby claim priority benefits under 35 U.S.C. §119 based on the following foreign applications(s) filed within one year prior to this application:

PRIORITY: 2002-381235 Japan December 27, 2002

The following applications for patent or inventor's certificate on this invention were filed in countries foreign to the United States of America either (a) more than one year prior to this application, or (b) before the filing date of the above-named foreign priority application(s) (INSERT "NONE" IF NO CORRESPONDING CASES): NONE

I hereby appoint Marc A. Rossi (Reg. No. 31,923) as my attorney of record with full power of substitution and revocation to prosecute this application, to transact all business in the Patent Office, and to insert on this document the Attorney Docket Number assigned to this application. I further direct that all correspondence in connection with this application be sent to my attorney at the address provided below:

ROSSI & ASSOCIATES  
P.O. BOX 826  
ASHBURN, VA 20146-0826  
(703) 904-4332

I hereby declare that I have reviewed and understand the contents of this Declaration, and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(1) Inventor's Name: Kazuhisa Ueki  
Given Name Family Name

Residence: Hamamatsu-shi, Shizuoka-ken, Japan  
City State/Province Country

Mailing Address: c/o YAMAHA CORPORATION  
Street/P.O. Box

10-1, Nakazawa-cho, Hamamatsu-shi, Shizuoka-ken, JAPAN  
City State/Province Zip Country

Citizenship: Japanese

Signature: Kazuhisa Ueki Date: Dec 8, 2003  
ADDITIONAL INVENTORS PROVIDED ON ATTACHED PAGES YES NO X

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Kazuhisa UEKI

Serial No.: NEW APPLICATION

Group Art Unit:

Filed: January 5, 2004

Examiner:

For: AUTOMATIC PERFORMANCE APPARATUS

**ASSIGNMENT TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please record the attached Assignment in the name of the assignor and the assignee as indicated below and return the original document to the undersigned.

1. Name of Conveying Party(ies):

Kazuhisa UEKI

2. Name and Address of Receiving Party(ies):

YAMAHA CORPORATION  
10-1, Nakazawa-cho, Hamamatsu-shi  
Shizuoka, JAPAN

3. Execution Date of Assignment: 12/8/03.

4. If this Assignment is being filed together with a new application, the execution date of the application is: 12/8/03.

5. Total number of applications and patents involved: 1

All correspondence should be addressed to:

Marc A. Rossi  
ROSSI & ASSOCIATES  
P.O. Box 826  
Ashburn, VA 20146-0826

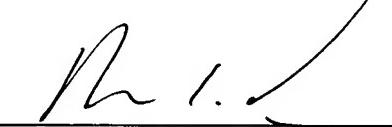
To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Total number of pages including cover sheet, attachments and document THREE (3).

The Commissioner is hereby authorized to debit or credit Deposit Account Number 18-2056 as needed in order to effect proper filing of the attached document.

Respectfully submitted,

ROSSI & ASSOCIATES

01/05/04  
Date

  
\_\_\_\_\_  
Marc A. Rossi  
Registration No. 31,923

Attorney Docket No. YAMA: 063

ROSSI & ASSOCIATES  
P.O. Box 826  
Ashburn, VA 20146-0826  
703-726-6020

\*\*\* ASSIGNMENT \*\*\*

In consideration of the sum of one dollar (\$1.00) and other good and valuable consideration paid to each of the undersigned, the receipt of which is hereby acknowledged, the undersigned agree(s)s to assign, and hereby does assign, transfer and set over to:

Name: YAMAHA CORPORATION

Address: 10-1, Nakazawa-cho, Hamamatsu-shi, Shizuoka-ken, JAPAN

(hereinafter designated as the Assignee) the entire right, title and interest for the United States, its territories, dependencies and possessions, in the invention, and all applications for patent and any Letters Patent which may be granted thereon, known as:

Title: AUTOMATIC PERFORMANCE APPARATUS

identified by the Assignee as H0832US and ATTORNEY DOCKET NUMBER YAMA : 063, for which the undersigned has (have) executed and filed an application for patent in the United States of America on the date 1/5/04 and now designated as U.S. Patent Application Serial No. \_\_\_\_\_.

The undersigned hereby agree(s) to: (1) execute all papers necessary in connection with the application and any continuing or divisional applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient; (2) execute all papers necessary in connection with any interference which may be declared concerning this application or continuation or division thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference; (3) execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention of Protection of Industrial Property or similar agreements; and (4) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

The undersigned hereby authorize(s) and request(s) the Commissioner of Patents to issue any and all Letters Patents of the United States resulting from said applications or any division or divisions or continuing applications thereof to said Assignee, as Assignee of the entire interest, and hereby covenants that the undersigned have full right to convey the entire interest herein assigned, and that the undersigned has (have) not executed and will not execute any agreement in conflict herewith.

The undersigned hereby grant(s) the firm of ROSSI & ASSOCIATES the power to insert on this assignment any further identification, including but not limited to the ATTORNEY DOCKET NUMBER, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office regarding this document.

In witness whereof, executed by the undersigned on the date(s) opposite the signature(s) of the undersigned:

Print Name	Date	Signature
(1) <u>Kazuhisa Ueki</u>	<u>Dec 8, 2003</u> Month/Day/Year	<u>Kazuhisa Ueki</u>
(2) _____	Month/Day/Year	_____
(3) _____	Month/Day/Year	_____
(4) _____	Month/Day/Year	_____
(5) _____	Month/Day/Year	_____
(6) _____	Month/Day/Year	_____

This assignment should preferably be signed before a Notary Public if within the United States of America; a U.S. Consul if outside the United States of America; or before at least two witnesses. Witnessed by:

(1) <u>Shizuhiko Miyano</u>	<u>Dec 8, 2003</u> Month/Day/Year
(2) <u>Nobuki Ishihashi</u>	<u>Dec 8, 2003</u> Month/Day/Year

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